

STATE OF TENNESSEE

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MEMORANDUM

TO: Honorable Reagan Farr
Commissioner, Department of Revenue

FROM: Lucy Honey Haynes *LHH*
Chief Deputy Attorney General

Gina J. Barham *GJB*
Deputy Attorney General, Financial Division

Ann Louise Vix *ALV*
Senior Counsel, Financial Division

DATE: August 27, 2009

RE: Confidentiality of Information Submitted under Part II of TNInvestco Application

This memorandum is in response to your request concerning the confidentiality of information provided by applicants under Part II of the Tennessee Small Business Investment Company Credit Act TNInvestco Application (the "Application"). This Office has reviewed applicable Tennessee law, including but not limited to 2009 Tenn. Pub. Acts Ch. 610, the "Tennessee Small Business Investment Company Credit Act," as well as the Application (copy attached).

It is the opinion of this Office that information provided by applicants in response to Part II of the Application is confidential and not subject to a request for public inspection under Tenn. Code Ann. § 10-7-503 of the Tennessee Public Records Act.